



Re: Ficosa North America, Land Disposal Restrictions Notification Form

Diane Sharrow to: carol.poling

04/30/2012 02:56 PM

Cc: sasgari

Bcc: Diane Sharrow

This message is digitally signed.

From: Diane Sharrow/R5/USEPA/US
To: carol.poling@ficosa.com
Cc: sasgari@IDEM.IN.gov
Bcc: Diane Sharrow/R5/USEPA/US

Ms. Poling,

I think that the TSDf is correct about it being a one-time notification and since the waste stream has not changed, a newer notification is not necessary.

However, the statement or certification at the bottom of the form does not match either the statement that is required by 40 CFR 268.7(a)(2), nor the certification that is required by 40 CFR 268.7(a)(3).

Based on what information you have presented, I think FICOSA needs to include the statement in 40 CFR 268.7(a)(2).

I notice that at the bottom of the form it indicates LDR Version 3 - is this a form supplied by Chemical Solvents, Inc.?

What other versions do they have - and would of those contain the statement FICOSA needs?

The form may be acceptable under Ohio regulations for Chemical Solvents as they are located in Ohio, but it is not quite correct for FICOSA to meet Indiana regulations?

FICOSA will need to insert a specific statement to match 40 CFR 268.7(a)(2) for Indiana.

I checked Indiana's regulatory equivalent to 490 CFR 268.7 (see below) and it is the equivalent of U.S. EPA's 40 CFR 268.7.

Rule 12. Land Disposal Restrictions

329 IAC 3.1-12-1 Adoption of federal land disposal restrictions

Authority: IC 13-7

Affected: 40 CFR 268

Sec. 1. Except as provided otherwise in section 2 of this rule, 40 CFR 268 is hereby incorporated by reference. (*Solid Waste*

Management Board; 329 IAC 3.1-12-1; filed Jan 24, 1992, 2:00 p.m.: 15 IR 939; filed May 6, 1994, 5:00 p.m.: 17 IR 2065;

readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535)

329 IAC 3.1-12-2 Exceptions and additions; land disposal restrictions

Authority: IC 13-14-8; IC 13-22-2-4

Affected: IC 13-11-2-155; IC 13-22-2; 40 CFR 268

Sec. 2. Exceptions and additions to land disposal restrictions are as follows:

(1) Primacy for granting exemptions from land disposal restrictions incorporated in this rule are retained as

federal authorities

and must be granted by the administrator of the EPA. Exemptions for which federal primacy is retained are described as follows:

(A) Case-by-case extensions to federal effective dates pursuant to 40 CFR 268.5.

(B) Petitions to allow land disposal of a waste prohibited under 40 CFR 268, Subpart C, pursuant to 40 CFR 268.6.

(C) Approval of alternate treatment methods pursuant to 40 CFR 268.42(b).

(D) Exemption from a treatment standard pursuant to 40 CFR 268.44.

(2) For the reason described in subdivision (1), delete the following:

(A) 40 CFR 268.5.

(B) 40 CFR 268.6.

(C) 40 CFR 268.42(b).

(D) 40 CFR 268.44.

(3) Any person requesting an exemption described in subdivision (1) must comply with 329 IAC 3.1-5-6.

(4) Delete 40 CFR 268.1(e)(3) and substitute the following: Hazardous wastes which are not identified or listed in 40 CFR

268, Subpart C or Subpart D, as incorporated in this rule.

(5) Delete 40 CFR 268.2(e) and substitute the following: Polychlorinated biphenyls or PCBs have the meaning set forth in IC 13-11-2-155.

(6) Delete 40 CFR 268.9(d) and substitute the following: Wastes that exhibit a characteristic are also subject to the requirements of 40 CFR 268.7, except that once the waste is no longer hazardous, a one (1) time notification and certification must be placed in the generator's or treater's files and sent to the commissioner. The notification must include the following information:

(A) The name and address of the solid waste facility receiving the waste shipment.

(B) A description of the waste as initially generated, including the applicable EPA hazardous waste number.

(C) The treatment standards applicable to the waste at the initial point of generation.

(D) The certification must be signed by an authorized representative and must state the language found in 40 CFR

268.7(b)(4).

The notification and certification that is placed in the generator's or treater's files must be updated if the process or operation generating the waste changes or if the facility receiving the waste changes.

(7) Delete 40 CFR 268, Subpart B.

(8) In 40 CFR 268, Subpart C, all references to effective dates which precede the effective date of this rule shall be replaced

HAZARDOUS WASTE MANAGEMENT PERMIT PROGRAM AND RELATED HAZARDOUS WASTE MANAGEMENT

Indiana Administrative Code Page 42
with the effective date of this rule.

(9) Delete 40 CFR 268.33.

(Solid Waste Management Board; 329 IAC 3.1-12-2; filed Jan 24, 1992, 2:00 p.m.: 15 IR 939; filed Jul 18, 1996, 3:05 p.m.: 19 IR

3358; filed Aug 7, 1996, 5:00 p.m.: 19 IR 3366; filed Mar 6, 2000, 8:02 a.m.: 23 IR 1639; readopted filed Jan 10, 2001, 3:25 p.m.:

24 IR 1535; filed Apr 5, 2001, 1:29 p.m.: 24 IR 2435; errata filed May 8, 2003, 9:40 a.m.: 26 IR 3046; filed Apr 13, 2005, 11:30 a.m.: 28 IR 2665)

Thank you,

Diane M. Sharrow
Environmental Scientist/Senior Inspector
USEPA, Region 5, Land and Chemicals Division
RCRA Branch, Compliance Section 1
Mail Code LR-8J
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Direct 312.886.6199
Facsimile 312.692.2906

Sharrow.Diane@epa.gov

PROTECT THE ENVIRONMENT:

Save paper & trees. Print this message only if necessary.

Protecting the environment is everyone's responsibility. Help USEPA fight pollution by reporting possible harmful environmental activity. To file a report, visit: <http://www.epa.gov/compliance/complaints/index.html>

CONFIDENTIALITY NOTICE: This e-mail may contain information from the sender that may be CONFIDENTIAL, LEGALLY PRIVILEGED, PROPRIETARY or OTHERWISE PROTECTED FROM DISCLOSURE. This e-mail is intended for use only by the person or entity to whom it is addressed. If you are not the intended recipient, any use, disclosure, copying, distribution, printing or any action taken in reliance on the contents of this e-mail, is strictly prohibited. If you received this e-mail in error, please contact the sending party by reply mail, delete the mail from your computer and shred any paper copies.

carol.poling

Willie Adkins is a Ficosa plant employee. He wa...

04/30/2012 02:00:42 PM

From: carol.poling@ficosa.com
To: Diane Sharrow/R5/USEPA/US@EPA
Date: 04/30/2012 02:00 PM
Subject: Re: Ficosa North America, Land Disposal Restrictions Notification Form

Willie Adkins is a Ficosa plant employee. He was the person that we checked his DOT and Lg Quantity Generator Training.

Thanks,

Carol Poling

Ficosa North America
917 Liechty Road
Berne, IN 46711

(260) 589-7206

New E-Mail Address: carol.poling@ficosa.com

From: Sharrow.Diane@epamail.epa.gov
To: carol.poling@ficsa.com
Cc: amy.tumbleson@ficsa.com, bboyce@ficsa.com, sasgari@idem.IN.gov
Date: 04/30/2012 02:56 PM
Subject: Re: Ficsa North America, Land Disposal Restrictions Notification Form

Ms. Poling,

I received your e-mail message and attachments. I am reviewing the requirements in 40 CFR 268.7.

Can you tell me if William Adkins works for FICOSA or for Camryn Industries or Chemical Solvents?

Thank you,

Diane M. Sharrow
Environmental Scientist/Senior Inspector
USEPA, Region 5, Land and Chemicals Division
RCRA Branch, Compliance Section 1
Mail Code LR-8J
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Direct 312.886.6199
Facsimile 312.692.2906

Sharrow.Diane@epa.gov

PROTECT THE ENVIRONMENT:

Save paper & trees. Print this message only if necessary.

Protecting the environment is everyone's responsibility. Help USEPA fight pollution by reporting possible harmful environmental activity. To file a report, visit: <http://www.epa.gov/compliance/complaints/index.html>

CONFIDENTIALITY NOTICE: This e-mail may contain information from the sender that may be CONFIDENTIAL, LEGALLY PRIVILEGED, PROPRIETARY or OTHERWISE PROTECTED FROM DISCLOSURE. This e-mail is intended for use only by the person or entity to whom it is addressed. If you are not the intended recipient, any use, disclosure, copying, distribution, printing or any action taken in reliance on the contents of this e-mail, is strictly prohibited. If you received this e-mail in error, please contact the sending party by reply mail, delete the mail from your computer and shred any paper copies.

carol.poling---04/27/2012 01:11:35 PM---Diane, We have relied on our TSDF to generate the notification forms. If I

From: carol.poling@ficsa.com
To: Diane Sharrow/R5/USEPA/US@EPA
Cc: sasgari@idem.IN.gov, amy.tumbleson@ficsa.com, bboyce@ficsa.com
Date: 04/27/2012 01:11 PM
Subject: Ficsa North America, Land Disposal Restrictions Notification Form

Diane,

We have relied on our TSDF to generate the notification forms. If I understand the TSDF correctly, there is the initial signed form and this is updated when the waste changes. The last time our waste stream changed was September of 2010, manifest and land ban attached below.

Is this correct? If not, could you please help with the appropriate regulation?

Carol Poling

Ficsa North America
917 Liechty Road
Berne, IN 46711

(260) 589-7206

New E-Mail Address: carol.poling@ficsa.com

(See attached file: S45C-512042712460.pdf)[attachment "S45C-512042712460.pdf" deleted by Carol Poling/BRNE/MIRR/FICOSA]



Re: Ficosa North America, Land Disposal Restrictions Notification Form
carol.poling

to:

Diane Sharrow

04/30/2012 02:00 PM

Hide Details

From: carol.poling@ficosa.com

To: Diane Sharrow/R5/USEPA/US@EPA

Willie Adkins is a Ficosa plant employee. He was the person that we checked his DOT and Lg Quantity Generator Training.

Thanks,

Carol Poling

Ficosa North America
917 Liechty Road
Berne, IN 46711

(260) 589-7206

New E-Mail Address: carol.poling@ficosa.com

From: Sharrow.Diane@epamail.epa.gov
To: carol.poling@ficosa.com
Cc: amy.tumbleson@ficosa.com, bboyce@ficosa.com, sasgari@idem.IN.gov
Date: 04/30/2012 02:56 PM
Subject: Re: Ficosa North America, Land Disposal Restrictions Notification Form

Ms. Poling,

I received your e-mail message and attachments. I am reviewing the requirements in 40 CFR 268.7.

Can you tell me if William Adkins works for FICOSA or for Camryn Industries or Chemical Solvents?

Thank you,

Diane M. Sharrow
Environmental Scientist/Senior Inspector
USEPA, Region 5, Land and Chemicals Division
RCRA Branch, Compliance Section 1
Mail Code LR-8J
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Direct 312.886.6199
Facsimile 312.692.2906

Sharrow.Diane@epa.gov

PROTECT THE ENVIRONMENT:

Save paper & trees. Print this message only if necessary.

Protecting the environment is everyone's responsibility. Help USEPA fight pollution by reporting possible harmful environmental activity. To file a report, visit: <http://www.epa.gov/compliance/complaints/index.html>

CONFIDENTIALITY NOTICE: This e-mail may contain information from the sender that may be CONFIDENTIAL, LEGALLY PRIVILEGED, PROPRIETARY or OTHERWISE PROTECTED FROM DISCLOSURE. This e-mail is intended for use only by the person or entity to whom it is addressed. If you are not the intended recipient, any use, disclosure, copying, distribution, printing or any action taken in reliance on the contents of this e-mail, is strictly prohibited. If you received this e-mail in error, please contact the sending party by reply mail, delete the mail from your computer and shred any paper copies.

carol.poling---04/27/2012 01:11:35 PM---Diane, We have relied on our TSDF to generate the notification forms. If I

From: carol.poling@ficsa.com
To: Diane Sharrow/R5/USEPA/US@EPA
Cc: sasgari@idem.IN.gov, amy.tumbleson@ficsa.com, bboyce@ficsa.com
Date: 04/27/2012 01:11 PM
Subject: Ficsa North America, Land Disposal Restrictions Notification Form

Diane,

We have relied on our TSDF to generate the notification forms. If I understand the TSDF correctly, there is the initial signed form and this is updated when the waste changes. The last time our waste stream changed was September of 2010, manifest and land ban attached below.

Is this correct? If not, could you please help with the appropriate regulation?

Carol Poling

Ficsa North America

917 Liechty Road
Berne, IN 46711

(260) 589-7206

New E-Mail Address: carol.poling@ficsa.com

(See attached file: S45C-512042712460.pdf)[attachment "S45C-512042712460.pdf" deleted by Carol Poling/BRNE/MIRR/FICOSA]